## REMARKS

Claims 1-13 are pending in the application.

The drawings are objected to for showing reference signs which are not described in the specification. The Office Action refers to Fig. 1, items 90 and 300.

The specification is amended to include a description of the elements shown in Fig. 1. Support is provided from the Figures. In addition, element number 90 is described in relation to the other figures, for example, Figure 3. No new matter is added.

Claims 1-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Muller et al. (U.S. 6,480,489) (hereinafter Muller).

Applicant's claim 1 recites: first means <u>notifying a free space</u> of the receiving buffer, second means reassembling a plurality of receiving packets into a single big packet, <u>based on the free space</u>, to be transmitted to the receiving buffer, and third means determining a size of the big packet <u>based on the free space</u>.

The Office Action asserts the Muller references describes such a feature at col. 4, lines 66-67 and col. 5, lines 1-8 and lines 15-25. However applicant respectfully disagrees because Muller refers specifically to "a free descriptor reference(e.g., contains a pointer to) one empty buffer" (col. 5, lines 1-8). Namely, the free descriptor of Muller references one empty buffer but <u>not the free space, or the capacity,</u> of the empty buffer.

Referring to applicant's independent claim 1, Muller fails to describe or suggest notifying "free space of receiving buffer." Therefore, Muller fails to disclose the limitations related to "free space" recited in the currently amended claim 1.

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In addition applicant's claim 1 recites: third means for determining a size of the big packet based on the free space.

The Office Action asserts the Muller references describes such a feature at col. 55, lines 45-53 and col. 56, lines 7-9. However applicant respectfully disagrees because Muller again specifically refers to "empty buffers" (col. 55, lines 48-50). Nowhere does Muller suggest determining a size of the big packet based on the free space.
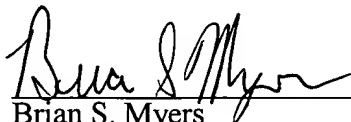
For at least the foregoing reasons it is respectfully submitted applicant's independent claim 1 is patentable over Muller.

Claims 2-13 depending directly or indirectly from independent claim 1, are likewise patentable for at least the reasons of their dependency from independent claim 1.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone: (212) 940-8703
Fax: (212) 940-8986 or 8987
Docket No.: FUJZ 17.260 (100794-11401)
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